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REV. 1855

CONSTITUTION,

BY-LAWS AND REGULATIONS

OF THE

Mercantile Library Association

OF THE

CITY OF NEW YORK.



ESTABLISHED NOVEMBER 9, 1820.

NEW YORK:

BAKER, GODWIN & CO., BOOK AND JOB PRINTERS,

CORNER NASSAU AND SPRUCE STREETS.

1855.

AVERY ARCHITECTURAL AND FINE ARTS LIBRARY

GIFT OF SEYMOUR B. DURST OLD YORK LIBRARY

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Officers of the Association

FOR 1855.

PRESIDENT.

GEORGE C. WOOD.

VICE-PRESIDENT.

JOHN CRERAR.

CORRESPONDING SECRETARY.

JOSEPH C. MORTON.

RECORDING SECRETARY.

GEORGE S. PARTRIDGE, Jr.

TREASURER.

WILLIAM H. TAYLOR.

DIRECTORS.

WILLIAM H. WICKHAM,

J. LAWRENCE ELDER,

JOSEPH F. HANFORD,

FLOYD CLARKSON,

ROWLAND H. TIMPSON,

W. L. SEAMAN,

HENRY B. HYDE.

LIBRARIAN.

S. HASTINGS GRANT.

ASSISTANT LIBRARIAN.

AUG. D. WHITE.

Standing Committees

OF THE

BOARD OF DIRECTION FOR 1855.

LIBRARY COMMITTEE.

WM. H. WICKHAM, JOSEPH F. HANFORD,
J. LAWRENCE ELDER.

PURCHASING COMMITTEE.

JOHN CRERAR, ROWLAND H. TIMPSON,
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LECTURE COMMITTEE.

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CLASS COMMITTEE.

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MEMBERSHIP COMMITTEE.

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JOSEPH F. HANFORD.

COMMITTEE ON ARTS AND SCIENCES.

JOSEPH F. HANFORD, HENRY B. HYDE,
FLOYD CLARKSON.

COMMITTEE ON RELATIONS WITH THE CLINTON HALL ASSOCIATION.

HENRY B. HYDE, JOSEPH C. MORTON,
WM. H. WICKHAM.

COMMITTEE ON FREE SCHOLARSHIPS.

ROWLAND H. TIMPSON, J. LAWRENCE ELDER,
JOHN CRERAR.

CONSTITUTION.

AS AMENDED, JANUARY, 1855.

We, the SUBSCRIBERS, engaged in mercantile pursuits as CLERKS in the CITY OF NEW YORK, being desirous to adopt the most efficient means to facilitate mutual intercourse, extend our information upon mercantile and other subjects of general utility, promote a spirit of useful inquiry, and qualify ourselves to discharge properly the duties of our profession, and the social offices of life,—have associated ourselves for the purpose of collecting a LIBRARY, establishing a READING ROOM, and organizing a system of instruction by LECTURES and CLASSES, together with such other means of mutual improvement as may be found advantageous; and have for our government, adopted the following CONSTITUTION:—

CHAPTER I.

OF MEMBERS.

ART. 1. This Association shall be known by the name of "THE MERCANTILE LIBRARY ASSOCIATION" of the CITY OF NEW YORK.

ART. 2. This Association shall be composed of persons engaged in mercantile pursuits as CLERKS, and of such other persons as shall be elected Honorary Members by the Board of Direction, or shall become members as hereinafter provided.

ART. 3. Any person engaged in mercantile pursuits as a clerk

may become a member of this Association, if approved by the Board of Direction, when he shall have subscribed the Constitution, paid an initiation fee of \$1, and \$1 for the first six months. His further regular dues shall be, thereafter, fifty cents quarterly in advance.

ART. 4. Any member of this Association commencing business on his own account, may continue his membership upon the payment of \$1 semi-annually in advance. Merchants, also, may become members by paying \$5 annually; but no merchant shall be entitled to a vote, or eligible to any office. Persons not engaged in mercantile pursuits may, if approved by the Board of Direction, be admitted to the use of the Library and Reading-rooms, upon the same terms as merchants. Such persons, also, may be admitted to the privileges of the Reading-room, on the payment of \$3 annually in advance.

ART. 5. Persons may be elected Honorary Members by the Board of Direction; and such persons shall be entitled to all the privileges of regular membership, except the right to vote and to hold office.

ART. 6. A membership of at least six months shall be requisite to make a member eligible to any office.

ART. 7. If the dues of any member remain unpaid for the term of twelve months, his privileges and rights of membership shall be forfeited, unless his delinquency be excused by the Board of Direction.

ART. 8. There shall be an annual meeting of the members of the Association, on the second Tuesday in May, for the purpose of receiving the Reports of the Treasurer and Board of Direction, and for the transaction of such other business as may be presented.

ART. 9. The President, at the request of the Board of Direction, or at the written request of one hundred members, stating the reasons therefor, shall call a meeting of the members for the transaction of special business; two weeks' notice thereof having been given.

CHAPTER II.

OF OFFICERS.

ART. 1. The Officers of the Association shall be a PRESIDENT, VICE-PRESIDENT, CORRESPONDING SECRETARY, RECORDING SECRETARY, TREASURER, and SEVEN DIRECTORS, to be elected annually; the President by separate ballot; the other officers by general ticket.

ART. 2. The President shall preside at the meetings of the Association; preserve order therein; and, in case of an equal division of the members on any question, give the casting vote.

ART. 3. The President of the Association shall be *ex-officio* President of the Board of Direction, in which capacity he shall give only a casting vote.

ART. 4. The Vice-President, in the absence of the President, shall perform all the duties of that officer.

ART. 5. The Corresponding Secretary shall conduct the correspondence of the Association under the superintendence of the Board of Direction.

ART. 6. The Recording Secretary shall keep an accurate record of the transactions of the Association, and of the Board of Direction.

ART. 7. The Treasurer shall give security, in the sum of two thousand dollars, for the faithful discharge of his trust. He shall receive all dues and donations of money; pay all drafts on him, when signed by the Secretary and countersigned by the President; and keep a regular account of the financial concerns of the Association, an abstract of which, accompanied by satisfactory vouchers, he shall exhibit at each annual meeting.

ART. 8. The President, Vice-President, Secretaries, Treasurer, and Directors, shall constitute a Board of Direction, with full powers to appropriate funds, enact by-laws, and conduct the affairs of the Association. The Board shall meet at least once in each month, for the transaction of business; and, at the annual meeting, report its proceedings for the last year, and the state of the Association.

ART. 9. In case of flagrant official or personal misconduct, the

Board of Direction shall have power, by a vote of three-fourths of its number, to expel a member of the Board—two weeks' notice of the charges against him having been previously rendered in writing to the Secretary; and in case of flagrant misconduct on the part of any member of the Association, the Board of Direction shall have the power of suspending said member by a vote of three-fourths of their number—two weeks' notice of the charges having been given him by the Secretary in writing, and the privilege of appeal being reserved to him at the succeeding annual meeting, for its decision thereon, as to his restoration or expulsion.

ART. 10. In case any vacancies shall occur in the Board of Direction, the Board shall have power to fill such vacancies.

ART. 11. There shall be an election for Officers of this Association on the Tuesday succeeding the annual meeting. The polls to be opened at 8 o'clock, A. M., and to close at 9 o'clock, P. M.; and no member shall be entitled to vote who is in arrears for dues.

ART. 12. Four weeks previous to each election for Officers of the Association, the Board shall give public notice thereof, and shall also appoint Inspectors to superintend said election; and if a failure to elect a Board of Direction, or any part thereof, shall occur, said Inspectors shall order a new election, to be held within one week thereafter, to fill such vacancy.

ART. 13. The Board of Direction shall enter upon the performance of its duty on the Tuesday next succeeding their election.

CHAPTER III.

OF THE LIBRARY, READING-ROOM, AND CABINET.

ART. 1. The Board of Direction shall have power to make all proper provisions and regulations for the preservation, management, and direction of the Library, Reading-rooms, and Cabinet.

ART. 2. It shall be the duty of the Board to appoint a Librarian, with such Assistants as may be deemed necessary, and to require of

him sufficient sureties, in a sum not less than \$2,000, for the faithful discharge of his duties.

ART. 3. A Committee shall be appointed by the Board of Direction to examine the books and other property of the Association, and report thereon, at least one month previous to each annual meeting.

ART. 4. There shall be no alteration in this Constitution, unless the same shall have been proposed to the Board of Direction at least one month previous to an annual meeting, and then approved by two-thirds of the members of the Association present at such meeting.

CHAPTER IV.

OF DONATIONS AND BEQUESTS.

ART. 1. In case any moneys shall accrue to the Association by gift or devise (without condition as to the mode in which such donation shall be expended), it shall be the duty of the Board of Direction to fund the moneys thus acquired in such securities as shall be approved of by two-thirds of their number; and no part of the principal of such fund shall be expended for any purpose whatever, without the previous sanction of two-thirds of the members present at a special or annual meeting of the Association.

By-Laws and Regulations.

ARTICLE 1. The Library shall be open from 7½ o'clock, A. M., until 9 o'clock, P. M.; and the Reading-room from 7½ o'clock, A. M., until 10 o'clock, P. M., every day except Sundays, Fourth of July, Annual Thanksgiving, Christmas, New Year's Day, and such other days as the Board of Direction may designate; excepting during the months of November, December, January, and February, when the opening hour shall be 8 o'clock, A. M.

ART. 2. The Librarian shall keep a full and accurate catalogue of all the books, magazines, maps, charts, newspapers, and works of art belonging to the Association, and arrange them in proper order; he shall keep a duplicate of the same, which shall at all times be open to the inspection of the members. He shall make a record of all books, maps, charts, &c., presented to the Association, in a book provided for that purpose, with the names of the donors.

ART. 3. He shall register, in ledgers prepared for that purpose, and to be kept in the library room, the name of every member of the Association, and shall in no case deliver a book to any member until the name of such member is so registered; he shall therein preserve an accurate account of the number of every volume delivered by him, the name of the person to whom delivered, the time of taking and returning the same, together with the forfeiture arising from every default.

ART. 4. He shall collect all dues and forfeitures incurred by the members, and account for the same to the Treasurer, at the close of each month, or oftener if required by the Board of Direction.

ART. 5. He shall, at the close of each year, or oftener, if required, report to the Board of Direction the names of such members

as may refuse to pay their forfeitures, or lose or damage any book belonging to the Library; and the names of all delinquents, with the amount of dues remaining unpaid.

ART. 6. He shall suffer no person, except members of the Board, to remove a book from its place in the Library without his permission; nor shall he allow any but Directors and ex-officers, to frequent the alcoves or space within the inclosure.

ART. 7. He shall replace the books in proper order upon the shelves, as soon as may be after they are returned; having first examined them with care, and ascertained whether they have been injured or defaced.

ART. 8. He shall see that the books, library-room, and reading-rooms, are kept in good order; shall duly observe the instructions which may be given him by the Board of Direction, and take care that the regulations relative to the loaning of books be strictly adhered to.

ART. 9. He shall ascertain, during the months of January, April, July, and October, by examination of the account of each member, the book or books not then returned to the Library in due season; and he shall cause the same to be procured of the member in default.

ART. 10. He shall deliver to any member applying personally, or to his WRITTEN ORDER, one volume, if it be a folio or quarto; and one book or set (not exceeding three volumes), if an octavo, a duodecimo, or volume of less size.

ART. 11. Every member may detain each book or set delivered as aforesaid, if it be a folio or quarto, four weeks; an octavo, three weeks; or a book or a set of less size, two weeks; except such works as, by order of the Board of Direction, shall be detained for a shorter time, and which shall not be renewed.

ART. 12. Any member who shall detain a book or set longer than the time above limited, respectively, shall forfeit and pay to the Librarian, for every day a volume is so detained, if it be a folio, four cents; a quarto, three cents; an octavo, two cents; if it be a duodecimo, or smaller volume, or a pamphlet, one cent; provided,

always, if a whole set be taken out, and a part of it detained longer than the time above limited, the fine shall be exacted for each book not returned; and if such book be detained one week beyond the time above limited, the forfeiture shall be doubled.

ART. 13. If any member lose, or deface with marginal notes, or by marking, or otherwise injure a book, he shall make the same good to the Librarian; and if the book lost or injured be one of a set, he shall pay the Librarian, for the use of the Association, the full value of said set, and may thereupon receive the remaining volumes as his property.

ART. 14. No member shall be permitted to receive a book from the Library until he shall have paid all sums due from him to the Association, and made good all damages and losses which he may have occasioned.

ART. 15. The books marked in the catalogue as books of reference, thus (*), and such others as may from time to time be specially designated by the Board, shall not be taken from the Library, except by special permission of a member of the Board of Direction.

ART. 16. Any member wishing to withdraw from the Association, must inform the Librarian of it, see that his resignation is registered, and pay up his dues and fees; else he will be considered as continuing a member, and charged accordingly—unless otherwise ordered by the Board of Direction.

ART. 17. No book shall be reserved by the Librarian for any director or member.

Regulations of the Reading-room.

ARTICLE 1. The Reading-room shall be under the supervision of the superintendent, who shall take charge of, and keep in their places, all the books, periodicals, and newspapers kept therein; he shall also supply the occupants of the room with such books from the Library as they may wish to consult; and shall enforce such rules and regulations, for the government of this department, as the Board may enact.

ART. 2. Blank forms will be furnished by the superintendent to those who desire to consult works from the Library, in which the applicant shall fill in the title of the work and date of application, and affix his signature and number of folio thereto, or No. of his card of admission if a visitor; when he shall obtain the book with but little delay; and such applicant will be held responsible for it, until the redemption of the written application by the return of the work.

ART. 3. None but members shall be allowed the privilege of the Reading-room, unless introduced by a member of the Association; and members shall exhibit their tickets of subscription, when required to do so by the superintendent; and no member will be allowed the use of the Reading-room, unless all dues and forfeitures incurred are liquidated.

ART. 4. Any member may have the privilege of introducing a friend who is a non-resident, whose name shall be registered by the Librarian in a book provided for that purpose, and who will receive a card of admission to the Reading-room for the term of four weeks: persons so introduced may consult books in the Library and Reading-room, but shall not be privileged to take them out of the rooms of the Association.

ART. 5. Any member who shall mutilate the periodicals or papers placed in the Reading-room, or remove them therefrom, shall be liable to a fine equal to four times the cost thereof.

ART. 6. No periodical work shall be taken from the room until two months shall have elapsed from the time of its being received.

ART. 7. No conversation shall be allowed in the Reading-room otherwise than in a whisper.

ART. 8. No member shall be permitted to sit in the Reading-room with his hat on, nor will smoking be allowed in any of the rooms of the Association.

Lecture Fund of 1852.

THE securities and funds in the hands of the "Trustees of the Lecture Fund of 1852," are intended to form the basis of a permanent Lecture Fund, for the benefit of the Mercantile Library Association, which may be increased by appropriations from the profits of lectures and classes of each year, by donations, by accumulations, and other methods.

It shall be the duty of said Trustees to invest the principal of said Fund in such real estate securities as they may approve, and to invest in the same manner the accumulations and additions to the said Fund, if not otherwise appropriated, whenever the same shall have reached a convenient amount for that purpose; and to deposit all moneys belonging to said Fund, not thus invested, in whatever savings bank they may appoint. The said Trustees shall have no power to expend the principal of said Fund—but may, in their discretion, appropriate the annual income to reimburse the directors of the Association for losses incurred in the delivery of lectures—(such appropriations not to exceed, however, the income of the current year,) or, if sufficient for the purpose, for the establishment of lectures, to be delivered before the members of the Association. All such appropriations to be expended by the Board of Direction of the Association.

Said Trustees shall consist of the President and Corresponding Secretary of the Mercantile Library Association, and the President of the Clinton Hall Association *ex-officio*, and two members not officers of the Association, with power to supply any vacancy which may occur in their body until the annual meeting succeeding such vacancy, when a new Trustee shall be chosen. They shall be known as the Trustees of the Lecture Fund of 1852, and shall have power to appoint their own officers, and to make such by-laws and rules as may be necessary for their own regulations—and shall present an annual report to the Board of Direction at least one week before the annual meeting.

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| WILSON G. HUNT, President of C. H. Ass'n, | } <i>Ex-officio Trustees.</i> |
| GEORGE C. WOOD, " " M. L. " | |
| JOSEPH C. MORTON, Cor. Sec'y, " " | |
| DANIEL F. APPLETON, chosen at the Annual Meeting, | } <i>Trustees.</i> |
| WILLARD L. FELT, " " " | |

Articles of Agreement

BETWEEN

THE CLINTON HALL ASSOCIATION OF THE CITY OF NEW YORK,
AND THE
MERCANTILE LIBRARY ASSOCIATION OF NEW YORK.

THIS agreement between the "Clinton Hall Association of the City of New York," of the first part, and the "Mercantile Library Association of the City of New York," of the second part,

Witnesseth, That whereas the Clinton Hall Association, in view of their original plan and articles of subscription, for the better attainment of the objects for which said Association was established, have sold the building called Clinton Hall, at the south-west corner of Nassau and Beekman streets, and have purchased the premises known as the Opera House, situated at the intersection of Astor Place and Eighth Street, and are altering, arranging, and fitting up the same, according to their plans now adopted;—they do hereby stipulate and agree with the Mercantile Library Association, as follows:

1. That the party of the second part may occupy, free of rent, two rooms in said building, designated on said plans as the Library and Reading-room, for those purposes; also, four apartments to be set apart hereafter by the party of the first part, for class-rooms (if required) and other purposes, in accordance with the objects of the Mercantile Library Association; and may also use the Lecture Hall for the general meetings of the Association, and for lectures to be delivered to its members, as often as twice in each week: which privileges shall be enjoyed under such terms and conditions as are hereinafter expressed, and for as long a time as they are fulfilled to the satisfaction of the party of the first part. Additional room for the Library and Reading-room, and additional nights for the use of the Lecture Hall, shall be set apart, if necessary, upon the same conditions.

2. That when the cost of altering, arranging, and fitting up said premises, at the intersection of Astor Place and Eighth Street, and the cost of the site, with the accruing interest, shall have been paid, either by new subscriptions, by the rents of the building, or from any other source, the surplus funds arising from rents shall be laid out in such books, cabinets, or scientific apparatus, as the party of the first part may deem proper; the said party reserving to itself the right to make earlier appropriations for these purposes. All such books, cabinets, or apparatus, shall continue to belong to the party of the first part, and shall be deposited in the building, and be used by the members of the Clinton Hall and Mercantile Library Associations, under such regulations as may be made by the party of the first part for that purpose.

And the party of the second part doth hereby stipulate and agree, with the party of the first part, as follows:

1. That its Library shall be deposited in the room or rooms of said

building appropriated to receive it; that the room or rooms set apart as Reading-rooms, shall be used by its members for that purpose; and that the Lecture Hall shall be used for the general meetings of the Association, and for the lectures which are delivered to its members.

2. That during the continuance of this agreement, it will pay the taxes on said building, if any are imposed; and will, at its own cost, keep the rooms it occupies in full and complete repair, and defray such proportion of the expenses of lighting and warming the house as may be fair and equitable.

3. That the whole income of the party of the second part, after defraying the necessary charges of the establishment (not including the expense of lectures) shall be annually invested in books, which shall be deposited in the Library, with its other books; and the shareholders of the Clinton Hall Association shall have access to the Library, free of charge, under the same regulations as the members of the Mercantile Library Association are subjected to, without giving to such shareholders a right to vote in the elections of that Association.

4. That in case the Trustees of the Clinton Hall Association shall be of opinion that the party of the second part shall convert the rooms it occupies in the said building to any purpose not intended by the party of the first part; or that the character of the Mercantile Library Association shall have become so changed that its usefulness shall have ceased; or that it shall have deposited immoral or irreligious books in its Library, and not removed them within twenty days after being advised to do so by the *Trustees of the Clinton Hall Association*; or that they shall have wilfully neglected or violated any of the stipulations contained in this agreement—then the said Trustees may call a meeting of the shareholders of the Clinton Hall Association and the Directors of the Mercantile Library Association, and lay before the meeting the facts to show that either of those contingencies has occurred; and the shareholders of the Clinton Hall Association, after a full consideration, may determine to resume the use and occupation of the rooms so appropriated, and the books, cabinets, and apparatus, purchased by the party of the first part; and such determination shall be final and conclusive on the party of the second part, who shall thereupon surrender and give up the premises and the said books, cabinets, and apparatus, to the party of the first part, and shall remove from said building after thirty days' notice of such determination.

5. That the shareholders of the Clinton Hall Association may attend the course of lectures which may be delivered to the Mercantile Library Association, on the same terms as are enjoyed by its members.

In witness whereof, the said parties have respectively caused their corporate seals to be hereunto affixed, and these presents to be signed by their respective Presidents, the third day of November, one thousand eight hundred and fifty-three.

THE CLINTON HALL ASSOCIATION,

By WILSON G. HUNT, *President.* [L. s.]

THE MERCANTILE LIBRARY ASSOCIATION
OF THE CITY OF NEW YORK,

By WILLARD L. FELT, *President.* [L. s.]



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